

JOINT ANTELOPE VALLEY AUTHORITY

**Board Meeting
January 9, 2003**

Meeting Began at: 10:02 a.m.
Meeting Ended at: 11:00 a.m.

Members Present: Roger Figard, Christine Jackson, Glenn Johnson

Others Present: Amy Cornelius, Randy Stramel, Joel Pedersen, Margaret Remmenga, Mike Morosin, Wayne Teten, Bruce Sweney, Wynn Hjermstad, Duncan Ross, Pam Manske, Beth Thacker, Jim Christo, Bill Kostner, Harlon Layton, Ed Patterson, Scott Lewis, Ron Ring

Order No. 00-03 - Call Meeting to Order

Glenn Johnson called the JAVA Board meeting to order at 10:02 a.m.

Order No. 01-03 - Minutes of Previous Meeting

Jackson moved to approve the minutes of the November 19, 2002 Board meeting. Figard seconded.

AYE: Figard, Johnson, Jackson

NAY:

Order No. 02-03 -Resolution authorizing purchase of Director's Insurance and approving expenditure and allocating funds.

(Resolution attached.)

Resolution # 03-0109-03 sets aside a revision in the FY2002-2003 budget for Director's insurance coverage and identifies that amount, and secondly it provides for contributions by each partner to fund that. The total cost is \$18, 500, split \$6,166.67 from each partner. Bill Kostner from the City was an integral part in getting this binder arranged and is currently awaiting approval of the budget revision.

Jackson moved to approve Resolution #03-0109-03 . Figard seconded.

AYE: Figard, Johnson, Jackson

NAY:

Order No. 03-03 -Resolution authorizing contracting procedures and approvals for project manager.

(Resolution attached.)

Resolution # 03-0109-04 involves utility relocation, terminations, vacations, or extensions. This would also allow the project manager to sign permits and other regulatory approvals that need a signature on behalf of JAVA. All three of the resolutions (03-0109-04, 03-0109-05, 03-0109-06) have a \$50,000 cut-off. Below this amount the project manager has some administrative authority, above this amount the Chair of JAVA needs to be consulted. These will only be for approved contracts for JAVA.

Jackson moved to adopt Resolution #03-0109-04 . Figard seconded.

AYE: Figard, Johnson, Jackson

NAY:

Order No. 04-03 -Resolution Authorizing authority for the Chair and Project Manager for approval of administrative changes to approved contracts.

(Resolution attached.)

Resolution # 03-0109-05 is related to change orders, which covers construction items that have been bid and professional services contracts.

Jackson moved to adopt Resolution #03-0109-05 . Figard seconded.

AYE: Figard, Johnson, Jackson

NAY:

Order No. 05-03-Resolution Authorizing authority for the Chair and Project Manager for approval and selection process for Construction Engineering and other professional services contracts.

(Resolution attached.)

Resolution # 03-0109-06 is for professional design services contracts and other services contracts. Additionally, there is set forth a distinction further for contracts of \$250, 000 and greater for ratification by the Board in a formal selection process.

JAVA must follow bidding requirements for highways, bridges and the waterway set by State and Federal officials. A selection process has been established. Figard received clarification that JAVA would not be jeopardizing the use of Federal Funds for the projects by following the process.

Jackson moved to adopt Resolution #03-0109-06 . Figard seconded.

AYE: Figard, Johnson, Jackson

NAY:

**Order No. 06-03-Resolution authorizing acquisition of the property located at 2110 Q Street for the Antelope Creek Flood Protection Project –
JAVA project No.02-062802-001.**

(Resolution attached.)

Resolution # 03-0109-07, Pedersen stated that this is a hardship acquisition for Tract 25 located at 2110 Q Street. There is a death involved. It is not in probate and therefore some time is needed to sort out the ownership interest. Acquisition authority is being asked for to clarify ownership issues and indicate the interest to acquire this property and get the process started following the uniform act This is in association with the Flood Protection Project # 02-062802-001.

Figard moved to adopt Resolution #03-0109-07 . Jackson seconded.

AYE: Figard, Johnson, Jackson

NAY:

Order No. 07-03 -Resolution authorizing budget revision, expenditure and fund allocation for construction engineering components.

This item has been deferred until the next JAVA Board meeting.

Order No. 08-03 -Update on ROW.

Wayne Teten and Joel Pedersen reported that an award was received from the Board of Appraisers on December 18, 2002 for property owned by the University of Nebraska Foundation needed for the Northeast Community Park. The deposit, which formally transfers ownership of the property, will be submitted to the court this week.

Teten stated that the City will formally, on City letterhead or JAVA letterhead, notify the property owners on the Project where JAVA has adopted resolutions for right-of-way appraisals that the appraisers will be contacting them.

Order No. 09-03-Update on NE Park.

N/E Park is still on schedule. The concession stand and the retaining walls are currently being worked on, the track work is nearly complete and an agreement has been reached as to how to resolve an issue with the load-out building and a car puller. Good weather has helped the project stay on schedule. Appraisals are going ahead on the Bookstrom property.

Order No. 10-03- Set fixed dates for board meetings.

There was a consensus that the 2nd Thursday of the month would be acceptable for JAVA Board meetings. Meetings would be scheduled for one hour, mid-morning and occur monthly.

[see attached for a complete schedule through the end of 2003.]

Order No. 11-03- Audit update.

Margaret Remmenga introduced Kurt Micek from Micek and Crouch who is doing the audit for JAVA for the FY ending August 31, 2002. Mr. Micek has completed the audit and submitted a "draft" report of that audit. Final copies of the audit will be made available once approval is given.

Mr. Micek indicated that the audit has been complete and an unqualified opinion has been reached. He had a couple of recommendations that he presented to the board.

- i. More centrally located files is being requested.
- ii. A schedule of construction costs for improvements and how those costs relate to the three partners is being requested.

Jackson asked if the final report will include management response? Remmenga indicated that it would and that the Board would receive that. Figard asked if either Remmenga or Micek had a recommendation for where the centrally located files should be kept? Micek stated that the three current locations are the City Treasurer's office, the Utilities' (PW& U) office and the Public Works-Engineering Services' office. Documents that are found at these locations are contracts, financial records and agreements. Micek suggested that it might be easiest to have the files located at the Utilities' office.

Order No. 12-03 Staff reports.

Teten updated the Board on some activities that had taken place since the last board meeting. Phase I (Salt Creek to the railroad, along the west side of Devaney) of the Channel was awarded to Hawkins Construction. As of January 8, 2003, the options were also awarded. The Notice to Proceed will be issued during the week of January 13, 2003, which means that the contractor has 10 days to start.

Teten reported that nearly 200 citizens came to the Antelope Valley Open House on November 20, 2002.

The Constructability Workshop for the Military, Vine Street and 'Y' Street bridges took place. Representatives from University of Nebraska-Lincoln, Design Team, Public Works, and the Natural Resources District attended the workshop and the AGC provided a number of contractors who also came to give advice.

Duncan Ross from Planning handed out Advisory Comments from the Urban Design Committee [attached]. Ross was there on behalf of Ed Zimmer (Historic Preservation Planner/Staff liaison with Urban Design Committee). This document covers Antelope Valley Bridge Designs and other Aesthetic Concepts. Ross stated that on the 3rd page of the document, there is a suggested Design Review Process for the bridge and other aesthetic concepts. Ross asked for the Board to provide some direction. Johnson indicated that timing is critical and that he would appoint a work group to meet and work with the Urban Design Committee, the Capitals Environs Commission, and the Citizen's Committee. He would like a report at the next JAVA Board meeting on February 13, 2003.

Wynn Hjermstad from Urban Development gave an update on the Housing Relocation Plan. A small sub-committee has been working on the details of this plan, comprised of Study Team members, Urban Development staff and Neighborhoods Inc. A first draft of their report should be ready for internal review within the next month. Johnson asked about the next set of meetings scheduled with the consultant team on the Community Redevelopment package. Hjermstad stated that RTKL will be in town on February 17th and 18th. There are three committees that are working with RTKL and they have met twice now. Hjermstad anticipates a report to the Board by the March meeting.

Order No. 13-03- Citizen's Committee Reports.

Randy Stramel from the Citizen's Committee indicated that the RTKL sessions that were held in Mid-December were very positive and many good points were brought up. Stramel liked the idea that was presented on the sequencing of Engineering and Redevelopment being combined and blended together.

Stramel reported that at the last Citizen's Committee meeting, members were updated in the Waterfront concepts and the Housing Relocation Plan and RTKL Study update.

Stramel had read through the Urban Design Committee comments and thought that we had already done many of the suggestions in the document. His point is that from a timing stand point, it may not be as bad as it looks.

Mike Morosin from the Citizen's Committee stated that he was not completely satisfied with the answer he received at the last Citizen's Committee meeting on the question of land acquisition and house moving within the flood plain. He stated that currently he could get a permit and as long as he met the requirements he could move his house within the flood plain. Morosin requested clarification. Johnson explained that an individual home owner, on their own, could indeed acquire property within the current flood plain and build a new structure or relocate an existing structure on that land. However, from a policy standpoint, if JAVA were doing this, it would be inconsistent with the goals of JAVA to acquire property and move within the flood plain without the additional flood-proofing and additional costs. Joel Pedersen clarified that when discussing the relocation plan, house moving is what is being discussed.

Order No. 14-03- Non-Agenda Items.

Ed Patterson of 2108 Q Street presented a plan to the Board for relocation of houses to be acquired for the Antelope Creek channel and roadway. He displayed a map of the neighborhoods within the Antelope Valley project area to illustrate his presentation. He stated that the map was approximately 5 years old.

Meeting adjourned at 11:00 a.m.